

To: Martha Maciel[mmaciel@blm.gov]
From: The Hill
Sent: 2017-12-04T18:22:00-05:00
Importance: Normal
Subject: Overnight Energy: Trump shrinks two Utah national monuments
Received: 2017-12-04T18:22:16-05:00

[View in your browser](#)

TRUMP SLASHES BEARS EARS, GRAND STAIRCASE-ESCALANTE

MONUMENTS: President Trump on Monday shrank two massive, controversial national monuments in Utah, potentially opening thousands of acres to drilling, mining and grazing.

The reductions erase efforts to preserve the monuments by Presidents Barack Obama and Bill Clinton, and represent the largest-ever rollback of protected areas in history.

Trump signed two proclamations, one scaling back Obama's 1.4-million-acre Bears Ears National Monument to 220,000 acres -- an 84 percent reduction -- and another reducing Clinton's 1.9-million-acre Grand Staircase-Escalante National Monument to 1 million acres.

Both monuments in southern Utah have long been opposed by state leaders. Obama and Clinton created them under the Antiquities Act, which gives presidents authority to unilaterally protect any federally owned area from development, with few restrictions.

"Some people think that the natural resources of Utah should be controlled by a small handful of very distant bureaucrats located in Washington. And guess what? They're wrong," Trump said during a visit to Salt Lake City where he made the announcement.

Bears Ears and Grand Staircase-Escalante had been at the center of a national debate over monuments and their permanence, fueled by an executive order earlier this year in which Trump asked Interior Secretary Ryan Zinke to review dozens of previously created monuments.

Trump has the support of conservatives and industries that want to use the land.

But Trump faced immediate backlash from environmentalists and American Indian tribes who say his actions threaten sensitive, culturally significant areas. They also see it as an attack more generally on public lands and conservation.

Read more [here](#).

Navajo Nation vows to sue: The decision is certain to face legal challenges.

The Navajo Nation, who consider much of the original 1.4 million-acre Bears Ears monument area to be sacred and culturally significant, plan to file a federal lawsuit with four other nearby tribes who had been pushing for the land protections for decades before then-President Barack Obama created it last year.

"The Navajo Nation has made repeated requests to meet with President Trump on this issue. The Bears Ears Monument is of critical importance, not only to the Navajo Nation but to many tribes in the region," Navajo President Russell Begaye said in a Monday statement shortly after Trump signed the proclamations.

"The decision to reduce the size of the monument is being made with no tribal consultation. The Navajo Nation will defend Bears Ears," he continued. "The reduction in the size of the monument leaves us no choice but to litigate this decision."

Read more [here](#).

Five things to know ... Trump's order raises the stakes in a long-simmering fight over federal public land protections.

Among the issues to watch as this fight moves forward: the lawsuits Trump's decision will create; the way Congress handles a proposal to overhaul the Antiquities Act, and whether Trump shrinks any of the other 25 monuments that were covered by Zinke's review.

Read our analysis [here](#).

DAKOTA ACCESS TO CREATE SPILL MANAGEMENT PLAN, CONDUCT

AUDIT: A federal judge on Monday imposed a series of conditions on the Dakota Access pipeline, which is currently transporting oil while undergoing a court-ordered environmental review.

U.S. District Court Judge James Boasberg ordered Dakota Access operators to coordinate an oil spill response plan with federal and tribal officials near Lake Oahe in North Dakota, conduct a third-party audit of the pipeline's compliance with federal and state regulations, and produce bi-monthly reports on the pipeline's operations.

Boasberg said the public has "an interest in ensuring the status quo at Lake Oahe is preserved" while the pipeline undergoes the new environmental review.

"The interim conditions ... are instead a means by which the court can ensure that it receives up-to-date and necessary information about the operation of the pipeline and the facts on the ground," he wrote in an opinion issued Monday morning.

Boasberg previously ruled that the Dakota Access pipeline, which began pumping oil in June, needs to go through a more thorough environmental review process, especially near Lake Oahe, which local tribes consider sacred.

Opponents of the pipeline, including the Standing Rock Sioux and Cheyenne River Sioux tribes, requested Boasberg impose conditions on the pipeline until regulators finalize that review. Federal officials expect that process to stretch into the spring.

Read more [here](#).

EPA SUED OVER OZONE: Environmental and health groups sued the Trump administration Monday because the Environmental Protection Agency (EPA) missed a key deadline in enforcing a major air pollution rule.

The groups, including Earthjustice, the Sierra Club and the American Lung Association, say the Clean Air Act required the EPA to say which areas of the country are not in compliance 2015 ozone rule by Oct. 1, but it missed that deadline.

In November, Pruitt released findings that 2,646 counties, two tribal areas and five territories, or about 85 percent of the nation's counties, meet the new rule.

But he declined to disclose which areas do not meet it, promising instead to work with states on the issue.

"We cannot stand by as an executive official flagrantly flouts the law. It's dangerous and corrosive," Seth Johnson, a staff attorney at Earthjustice, said in a statement.

"More than half the people in the United States live in a county where EPA has yet to say if air quality meets the strengthened standard. Everyone deserves to breathe clean air. And because of the Clean Air Act, we're legally entitled to it."

Read more [here](#).

ON TAP TUESDAY I: The Senate Energy and Natural Resources (ENR) Committee will hear from two Trump administration nominees: Timothy Petty to be an assistant secretary of the Interior for water and science and Linda Capuano to be administrator of the Energy Information Administration.

ON TAP TUESDAY II: A Senate Energy and Natural Resources subcommittee will hold a hearing on seven bills. The list of legislation is [here](#).

Rest of Tuesday's agenda ...

Rep. Ann Wagner (R-Mo.) will speak at a National Bureau of Asian Research event on the Chinese energy sector.

FROM THE HILL'S OPINION PAGE:

Georgetown law professor David A. Super examines efforts to change the National Environmental Policy Act.

Stephen Shea, a solar industry researcher and manager, writes in support of tariffs on the sector.

Andrew F. Quinlan, the co-founder and president of the Center for Freedom and Prosperity, says Congress should overhaul the Renewable Fuel Standard (RFS).

AROUND THE WEB:

The Los Angeles Times uncovers a trend at the LA Auto Show: European car

manufacturers are embracing electric vehicles.

Despite President Trump's support for the coal industry, major Kentucky utilities still expect to use mostly natural gas and renewables by the middle of the century, WFPL news [reports](#).

An algae bloom, unusual for this time of year, has been spotted in Baltimore's harbor, the Baltimore Sun [reports](#).

IN CASE YOU MISSED IT:

Check out stories from Monday and the weekend...

- Greens, health groups [sue EPA](#) over missed Obama smog rule deadline
- Five things to know about [Trump's national monuments order](#)
- Navajo Nation [promises lawsuit](#) against Trump's national monument rollback
- Trump [slashes](#) Utah land protections
- Trump [closes](#) panel meant to help cities deal with climate change
- Study: Rising seas may put US historical landmarks [under water](#) this century
- Judge [orders](#) monitoring, audit of Dakota Access pipeline
- Week ahead: Trump [expected to shrink](#) two national monuments
- GOP on verge of [opening](#) Arctic refuge to drilling
- Major conservation group [blasts](#) GOP tax bill for allowing Arctic drilling: 'Simply shameful'

Please send tips and comments to Timothy Cama, tcama@thehill.com; and Devin Henry, dhenry@thehill.com. Follow us on Twitter: [@Timothy_Cama](#), [@dhenry](#), [@thehill](#)

Did a friend forward you this email?

[Sign up for Energy Newsletters](#)

[Forward Energy Newsletters](#)